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REMARKS

These Remarks are in response to the Office action mailed April 18, 2007. Claims 1 and 3-10 have been amended. In addition, claims 12-15 have been newly added. These amendments are sourced from the original specification and drawings of the present application, therefore no new matter is added. Claims 1-15 are pending in the application. Applicant appreciates Examiner's careful review of the present application.

Claim Rejections Under 35 U.S.C. 101

Claims 7-11 were rejected under 35 U.S.C. 101 because the claimed invention was directed to non-statutory subject matter.

In response to this rejection, applicant has amended claim 7 by including materials of hardware or a combination of hardware and software thereinto, for the purpose of overcoming the rejection under 35 U.S.C. 101. Amended claim 7 recites the use of certain technology, such as various systems (i.e., a purchase management system, an inventory management system, and a production management system) and various software modules (i.e., a current period purchase costs calculation module, a historical purchase costs calculation module for, and a material costs integration module) installed in a computer (i.e., a web server) that would inherently and necessarily require a computer (i.e., the web server) or a database (i.e., a database server). Furthermore, amended claim 7 is recited as being computer-enabled, and can only be performed by carrying out one or more steps of providing various software modules (see above) in a piece of hardware (i.e., the web server). Most particularly, amended claim 7 recites the limitation of "returning the calculated material costs of a product to a client terminal of a company" (see para. [0019], lines 4-7 thereof, in the specification as originally filed).

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Therefore, it is submitted that amended claim 7 has clearly demarcated practical application in the technological arts, and does not merely manipulate an abstract idea or perform a purely mathematical algorithm. The invention requires physical acts to be performed outside the computer (web server) prior to the computer performing one or more steps according to a program. Amended claim 7 imposes independent limitations on the scope of the claim beyond those required by mathematical operation. The one or more steps of providing various systems and software modules in the piece of hardware (web server) are a necessary prerequisite in obtaining the practical result or outcome of the material costs of a product. This is a direct effect on the physical world outside the computer (web server/database server). Furthermore, the result obtained is not a mere mathematical construct, but literally the material costs of a product, which is invaluable information that enables a company to make well-founded strategic business decisions (see para. [0009], lines 6-11 thereof, in the specification as originally filed). In addition, the material costs of a product are returned to a client terminal for users of the company, and are indeed real-world results which have beneficial effect for the company. Therefore, the results produced by carrying out the claimed method of claim 7 are useful, concrete, and very tangible.

For at least the above reasons, it is submitted that amended claim 7 is directed to statutory subject matter. Claims 8-11 depend directly from amended independent claim 7. Accordingly, applicant requests reconsideration and removal of the rejection of claims 7-11 under 35 U.S.C. 101.

Double Patenting

Claims 1-11 were provisionally rejected on the ground of nonstatutory double patenting over claims 1 and 7-11 of copending Application No.

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10/748,872. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

In response, applicant has amended claims 1 and 7 by adding more limitations thereinto, including for the purpose of overcoming the double patenting rejection over the referenced copending application. Support for the amendments can be found at least in paragraphs [0019] and [0020] of the present specification as originally filed. The following remarks herein are responsive to the rejection.

By comparing amended claim 1 of the present application with claims 1 and 7-10 of the referenced copending application, applicant asserts that amended claim 1 of the present application provides the limitation of "[a] database server [connecting] to a purchase management system, an inventory management system, and a production management system via a network for data transmission therebetween". None of these limitations is recited in claims 1 and 7-10 of the referenced copending application. Applicant further asserts that amended claim 1 of the present application provides the limitation of "[a] web server [having] an application layer that comprises enterprise plans, operation methods, and management models". None of these limitations is recited in claims 1 and 7-10 of the referenced copending application. Accordingly, the subject matter of amended claim 1 of the present application is distinct from the subject matter of claims 1 and 7-10 of the referenced copending application.

Similarly, comparing amended claim 7 of the present application with claim 11 of the referenced copending application, applicant asserts that amended claim 7 of the present application provides the limitation of "providing [a] database server being connected to a purchase management system, an inventory management system, and a production management system via a network for data transmission therebetween". This limitation is not recited in claim 11 of the referenced copending application.

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Applicant further asserts that amended claim 7 of the present application provides the limitation of "[a] web server returning the material costs of the product to a client terminal for users of a company". This limitation is not recited in claim 11 of the referenced copending application. Accordingly, the subject matter of amended claim 7 of the present application is distinct from the subject matter of claim 11 of the referenced copending application.

In conclusion, significant subject matter claimed in the present application is not recited in the claims of the referenced copending application, and would not be covered by any patent granted to the referenced copending application. In particular, the referenced copending application and the present application are not claiming common subject matter, and the presently claimed subject matter is unobvious in view of the claims of the referenced copending application. Accordingly, it is submitted that claims 1-11 of the present application are patentable over claims 1 and 7-11 of the referenced copending application. Reconsideration and removal of the double patenting rejection of claims 1-11 of the present application are requested.

Claim Rejections Under 35 U.S.C. 102

Claims 1-11 were rejected under 35 U.S.C. 102(e) as being anticipated by Shimizu et al. (US Pub. No. 2003/0037014 A1, hereinafter referred to as "Shimizu").

In response to this rejection, applicant has amended claims 1 and 7 by including more limitations thereinto. Support for the amended subject matter can be found in paras. [0019] and [0020] of the originally filed specification of the present application. Applicant has also amended claims 3-6 and 8-10 in respect of minor informalities and to more appropriately express the subject matter thereof. Applicant requests reconsideration and

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removal of the rejections and allowance of claims 1-11. The following remarks herein are responsive to the rejections as understood.

Claim 1, as amended, recites in part:

"the database server is connected to a purchase management system, an inventory management system, and a production management system via a network for data transmission therebetween".

Applicant submits that Shimizu does not disclose, teach, or otherwise suggest the invention having the above-highlighted feature as set forth in claim 1.

Shimizu discloses a cost estimation system that includes a processing cost information storage device, a shape designating device, a processing designating device, a processing time calculating device, and a processing cost calculating device (FIG. 1; paras. [0034]-[0042] of page 2). Shimizu further discloses that the storage device is configured to store plural kinds of cost factors for a product, and cost information. The cost factors include specifications of processing facility, labor cost, and shape of a part to be manufactured, and the cost information includes unit cost of a product (paras. [0028]-[0030]). It is apparent that the cost factors and the cost information do not include purchase data, inventory data, and material consumption data as recited in the present claim 1. Specifically, in Shimizu, there is nothing about a purchase management system, an inventory management system, and a production management system. That is, Shimizu fails to disclose or teach the feature of "the database server is connected to a purchase management system, an inventory management system, and a production management system via a network for data transmission therebetween", as recited in amended claim 1 of the present application.

Furthermore, claim 1, as amended, recites in part:

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"the web server has an application layer that comprises enterprise plans, operation methods, and management models, and the web server comprises:

a current period purchase costs calculation module for calculating purchase expenses and purchase costs apportioned to each unit of each material in a current period;

a historical purchase costs calculation module for calculating historical purchase costs of each material; and

a material costs integration module for calculating material costs consumption in each unit of a product".

Applicant submits that Shimizu does not disclose, teach, or otherwise suggest the invention having the above-highlighted features as set forth in claim 1.

Shimizu discloses that the cost estimation system includes an application service provider (ASP) and plural business office terminals. Shimizu further discloses that the ASP includes a server for receiving business data concerning the business sent from each office terminal, and forming and providing a web page for users to perform corresponding operations on estimating a cost of a product (FIG. 1; paras. [0102]-[0104] on page 4). However, the server of Shimizu does not have an application layer that comprises enterprise plans, operation methods, and management models for estimating the cost of the product. Furthermore, the server of Shimizu does not include a current period purchase costs calculation module, a historical purchase costs calculation module, and a material costs integration module. Each of these function modules has respective functions directed to calculating costs of the product based on purchase data, inventory data, and material consumption data, as recited in claim 1. Therefore, Shimizu fails to disclose or teach the feature of "the web server has an application layer that comprises enterprise plans, operation methods, and management models," and the features of "a current period·purchase

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costs calculation module for calculating purchase expenses and purchase costs apportioned to each unit of each material in a current period; a historical purchase costs calculation module for calculating historical purchase costs of each material; and a material costs integration module for calculating material costs consumption in each unit of a product", as set forth in claim 1 of the present application.

In conclusion, Shimizu fails to disclose, teach, or even suggest the present invention having the above-described features as set forth in claim 1 as amended. Accordingly, applicant submits that amended claim 1 is not only novel under 35 U.S.C. §102(e) over Shimizu, but also unobvious under 35 U.S.C. §103 over Shimizu. Reconsideration and removal of the rejection and allowance of claim 1 are requested.

Claims 2-6 depend directly or indirectly from amended independent claim 1, and respectively recite additional subject matter. Therefore, claims 2-6 should also be allowable.

Claim 7, as amended, recites in part:

   providing *a database server being connected to a purchase management system, an inventory management system, and a production management system via a network for data transmission therebetween*;

   providing a current period purchase costs calculation module installed in the web server for calculating unit purchase expenses and current purchase costs of a unit of each material based on the purchase data;

   providing a historical purchase costs calculation module installed in the web server for calculating historical purchase costs of a unit of each material based on the inventory data;

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      providing a material costs integration module installed in the web server for calculating costs of each material consumed in the product based on the material consumption data; and

      providing a purchase data summarizing module installed in the web server for summing up the costs of each material consumed in the product to obtain material costs of the product.
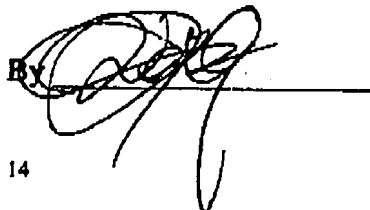
Amended claim 7 is a method claim corresponding to the system of claim 1. Referring to and incorporating herein the above-asserted reasons regarding the patentability of amended claim 1, applicant submits that Shimizu fails to disclose, teach, or otherwise suggest the invention having the above-described features as set forth in amended claim 7. Accordingly, applicant respectfully submits that amended claim 7 is not only novel under 35 U.S.C. §102(e) over Shimizu, but also unobvious under 35 U.S.C. §103 over Shimizu. Reconsideration and removal of the rejection and allowance of claim 7 are requested.

Claims 8-11 depend directly from amended independent claim 7, and respectively recite additional subject matter. Therefore, claims 8-11 should also be allowable.

Newly added claims 12-15 directly depend from amended independent claim 7, and respectively recite additional subject matter. It is believed that claims 12-15 also represent patentable subject matter.

In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

                             Respectfully submitted,
                             Juei-Mei Wang

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